

ORIGINAL

**BARAFF, KOERNER, OLENDER & HOCHBERG, P.C.**

ATTORNEYS AT LAW

5335 WISCONSIN AVENUE, N.W., SUITE 300  
WASHINGTON, D.C. 20015-2059

(202) 686-8200

RECEIVED

NOV - 4 1992

OF COUNSEL  
ROBERT BENNETT LUBIC

Federal Communications Commission  
Office of the Secretary

FAX: (202) 686-8282

B. JAY BARAFF  
ROBERT L. OLENDER  
JAMES A. KOERNER  
PHILIP R. HOCHBERG  
AARON P. SHAINIS  
LEE J. PELTZMAN  
MARK J. PALCHICK  
JAMES E. MEYERS

November 4, 1992

RECEIVED

NOV - 4 1992

Federal Communications Commission  
Office of the Secretary

Ms. Donna R. Searcy  
Secretary  
Federal Communications  
Commission  
1919 M Street, NW, Room 222  
Washington, D.C. 20554

RE: MM Docket No. 92-27

Dear Ms. Searcy:

Transmitted herewith, on behalf of Southwest Allen County Schools, is an original and six copies of a Petition for Leave to Amend in the above referenced matter.

Should you have any questions regarding this matter, please contact the undersigned.

Respectfully submitted,



Aaron P. Shainis  
Counsel for  
Southwest Allen County Schools

APS/mcl  
Enclosures  
c:\26072\lvtoamed.cvr

No. of Copies rec'd  
List A B C D E

041

BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

RECEIVED

NOV - 4 1992

Federal Communications Commission  
Office of the Secretary

In Re Applications of )  
 )  
SOUTHWEST ALLEN COUNTY SCHOOLS )  
Channel 216A )  
Lafayette Township, Indiana )  
 )  
FAITH CHRISTIAN ACADEMY )  
Channel 216B1 )  
Berne, Indiana )  
 )  
For Construction Permit for a )  
New, Noncommercial, Educational )  
FM Station )

MM Docket No. 92-27

File No. BPED-900215MC

File No. ~~BPED-900215MC~~

RECEIVED

NOV - 4 1992

Federal Communications Commission  
Office of the Secretary

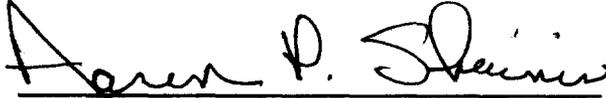
TO: Administrative Law Judge Joseph Chachkin

**PETITION FOR LEAVE TO AMEND**

1. Southwest Allen County Schools ("Southwest"), by its attorney, respectfully request leave to amend its application. In support, the following is respectfully submitted.
2. Southwest's application conflicts with that of Faith Christian Academy ("Faith"), an applicant for a construction permit for a new non-commercial educational FM station on Channel 216B1 in Berne, Indiana. On September 22, 1992, Southwest and Faith submitted a joint request for approval of a settlement agreement. In order to effectuate the settlement, amendments to both the Southwest and Faith application are required. The attached amendment, in conjunction with an amendment being submitted concurrently by Faith, eliminates a conflict between these two applications, permitting both to be granted.

3. Good cause is present for acceptance to the instant amendment since it will not necessitate any new parties or new issues. Moreover, it will effectuate a settlement which will be in the public interest.

Respectfully submitted,

A handwritten signature in cursive script that reads "Aaron P. Shainis". The signature is written in dark ink and is positioned above a horizontal line.

Aaron P. Shainis  
Counsel for  
Southwest Allen County Schools

c:\26072\leavetoam.end

ORIGINAL

Southwest Allen County Schools  
File No. BPED-90021 ~~ONE~~

RECEIVED

NOV - 4 1992

Federal Communications Commission  
Office of the Secretary

**AMENDMENT**

Please amend the above referenced application in accordance  
with the attached materials.

*David R. Hales*

Dr. David R. Hales

Date

*10/20/92*

**ORIGINAL**

**RECEIVED**

**NOV - 4 1992**

*Federal Communications Commission  
Office of the Secretary*

**ENGINEERING EXHIBIT E-1**

**MINOR AMENDMENT TO  
PENDING APPLICATION**

**BPED-900215MC**

**Southwest Allen County Schools  
Lafayette Township, IN**

**October 13, 1992**

**Prepared for: Mr. Robert S. Warner  
Southwest Allen County Schools  
4310 Homestead Road  
Fort Wayne, IN 46804**

**CARL E. SMITH CONSULTING ENGINEERS**

## CONTENTS

Title Page

Contents

FCC Form 340  
Section V-B

FAA Form 7460-1

Engineering Affidavit

Engineering Statement

1.0 General

2.0 Allocation Considerations

Fig. 2.0 - FM Allocation Study

Table 2.0 - FM Allocation Study - Channel 216A (91.1 MHz) -  
Lafayette Township, IN

Fig. 2.1 - TV Channel 6 Protection

3.0 Proposed Antenna System

Fig. 3.0 - Vertical Plan View

Table 3.1 - Proposed Directional Pattern

Fig. 3.1 - Proposed Directional Pattern

Fig. 3.2 - Vertical Radiation Pattern

4.0 Predicted Service Contours

Table 4.0 - Predicted Proposed  
1 mV/m Contour

Fig. 4.0 - Predicted Proposed  
1 mV/m Contour  
(Original and Amended)

5.0 Proposed Site

Fig. 5.0 - Topographic Map Showing  
Proposed Site

Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. \_\_\_\_\_

ASB Referral Date \_\_\_\_\_

Referred by \_\_\_\_\_

Name of Applicant

Southwest Allen County Schools

Call letters *(if issued)*

N/A

Is this application being filed in response to a window?  Yes  No

If Yes, specify closing date: \_\_\_\_\_ N/A

Purpose of Application: *(check appropriate boxes)*

- Construct a new (main) facility (Amendment)
- Construct a new auxiliary facility
- Modify existing construction permit for main facility
- Modify existing construction permit for auxiliary facility
- Modify licensed main facility
- Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- Antenna supporting-structure height
- Effective radiated power
- Antenna height above average terrain
- Frequency
- Antenna location
- Class
- Main Studio location
- Other *(Summarize briefly)*

File Number(s) BPED-900215MC

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
216	Lafayette Township	Allen	IN

Class *(check only one box below)*

- A  B1  B  C3
- C2  C1  C  D

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

100 meters north of Kress Road, 470 meters northwest of its intersection with Huntington Road, Lafayette Township, Allen County, Indiana.

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	40° 58' 58"	Longitude	85° 17' 42"
----------	-------------	-----------	-------------

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)?  Yes  No

If Yes, give call letter(s) or file number(s) or both. \_\_\_\_\_ N/A

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

\_\_\_\_\_ N/A

4. Does the application propose to correct previous site coordinates?  
If Yes, list old coordinates.

Yes  No

Latitude            °            '            "	Longitude           °            '            "
---	---

5. Has the FAA been notified of the proposed construction?

Yes  No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No. E-1
--------------------

Date 2/9/90 Office where filed Great Lakes Regional Office

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

	Distance (km)	Bearing (degrees True)
(a) <u>Dennis (Pvt.)</u>	<u>3.7 km</u>	<u>355°</u>
(b) <u>Fort Wayne</u>	<u>7.2 km</u>	<u>100°</u>

7. (a) Elevation: (to the nearest meter)

- (1) of site above mean sea level; 250 meters
- (2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 60 meters
- (3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] 310 meters

(b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

- (1) above ground 57 meters (H)
- 57 meters (V)
- (2) above mean sea level [(aX1) + (bX1)] 307 meters (H)
- 307 meters (V)
- (3) above average terrain 65 meters (H)
- 65 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(bX3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No. E-1
--------------------

9. Effective Radiated Power:

(a) ERP in the horizontal plane 0.2 kw (HM) 0.2 kw (VM)

(b) Is beam tilt proposed?  Yes  No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No. N/A
--------------------

\_\_\_\_\_ kw (HM) \_\_\_\_\_ kw (VM)

\*Polarization

10. Is a directional antenna proposed?

Yes  No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of horizontally and vertically polarized radiated components in terms of relative field.

Exhibit No.  
E-1

11. Will the main studio be located within the 70 dBu or 3.16 mV/m contour?

Yes  No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
N/A

12. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast *(except citizens band or amateur)* radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

Yes  No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. *(See 47 C.F.R. Sections 73.315(b), 73.316(d) and 73.318.)*

Exhibit No.  
N/A

13. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction D for Section V. Further, the map must clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
E-1

14. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
E-1

- (a) the proposed transmitter location, and the radials along with profile graphs have been prepared;
- (b) the 1 mV/m predicted contour and, for noncommercial educational applicants applying on a commercial channel, the 3.16 mV/m contour; and
- (c) the legal boundaries of the principal community to be served.

15. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 234 sq. km. Population 26,351

16. Attach as an Exhibit a map *(Sectional Aeronautical charts where obtainable)* showing the present and proposed 1 mV/m (60 dbu) contours.

Exhibit No.  
E-1

Enter the following from Exhibit above:

Gain Area	<u>0</u>	sq. mi.
Loss Area	<u>57</u>	sq. mi.

Percent change (gain area plus loss area as percentage of present area) 19.6 %.

If 50% or more this constitutes a major change. Indicate in question 2(c), Section I, accordingly.  
Relative to original application.

Exhibit No.  
N/A

17. For an application involving an auxiliary facility only, attach as an Exhibit a map (*Sectional Aeronautical Chart or equivalent*) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license. See 47 C.F.R. Section 73.1675. (File No.: \_\_\_\_\_)

18. Terrain and coverage data (*to be calculated in accordance with 47 C.F.R. Section 73.313*).

Source of terrain data: (*check only one box below*)

Linearly interpolated 30-second database

7.5 minute topographic map

(Source: \_\_\_\_\_ NGDC \_\_\_\_\_)

Other (*briefly summarize*)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances to the 1 mV/m contour (kilometers)
0	54	5.9
45	78	10.4
90	70	10.3
135	63	9.8
180	63	9.8
225	73	10.5
270	62	6.8
315	58	4.7

#### Allocation Studies

(*See Subpart C of 47 C.F.R. Part 73*)

19. Is the proposed antenna location within 320 kilometers (199 miles) of the common border between the United States and Mexico?

Yes  No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Agreement between the United States of America and the United Mexican States concerning Frequency Modulation Broadcasting in the 88 to 108 MHz band.

Exhibit No.  
N/A

20. Is the proposed antenna location within 320 kilometers of the common border between the United States and Canada?

Yes  No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Working Agreement for Allocation of FM Broadcasting Stations on Channels 201-300 under The Canada-United States FM Agreement of 1947.

Exhibit No.  
E-1

21. If the proposed operation is for a channel in the range from channel 201 through 220 (88.1 through 91.9 MHz), or if this proposed operation is for a class D station in the range from Channel 221 through 300 (92.1 through 107.9 MHz), attach as an Exhibit a complete allocation study to establish the lack of prohibited overlap of contours with other U.S. stations. The allocation study should include the following:

Exhibit No.  
E-1

- (a) The normally protected interference-free and the interfering contours for the proposed operation along all azimuths.
- (b) Complete normally protected interference-free contours of all other proposals and existing stations to which objectionable interference would be caused.
- (c) Interfering contours over pertinent arcs of all other proposals and existing stations from which objectionable interference would be received.
- (d) Normally protected and interfering contours over pertinent arcs, of all other proposals and existing stations, which require study to show the absence of objectionable interference.
- (e) Plot of the transmitter location of each station or proposal requiring investigation, with identifying call letters, file numbers and operating or proposed facilities.
- (f) When necessary to show more detail, an additional allocation study will be attached utilizing a map with a larger scale to clearly show interference or absence thereof.
- (g) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire Exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (h) The name of the map(s) used in the Exhibit(s).

22. With regard to any stations separated by 53 or 54 channels (10.6 or 10.8 MHz) attach as an Exhibit information required in 1/ (*separation requirements involving intermediate frequency (i.f.) interference*).

Exhibit No.  
E-1

23.(a) Is the proposed operation on Channel 218, 219, or 220?

Yes  No

(b) If the answer to (a) is yes, does the proposed operation satisfy the requirements of 47 C.F.R. Section 73.207?

Yes  No

(c) If the answer to (b) is yes, attach as an Exhibit information required in 1/ regarding separation requirements with respect to stations on Channels 221, 222 and 223.

Exhibit No.  
N/A

(d) If the answer to (b) is no, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
N/A

1/ A showing that the proposed operation meets the minimum distance separation requirements. Include existing stations, proposed stations, and cities which appear in the Table of Allotments; the location and geographic coordinates of each antenna, proposed antenna or reference point, as appropriate; and distance to each from proposed antenna location.

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 6)

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
N/A

- (1) Protected and interfering contours, in all directions (360 ), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibits(s).

24. Is the proposed station for a channel in the range from Channel 201 to 220 (88.1 through 91.9 MHz) and the proposed antenna location within the distance to an affected TV Channel 6 station(s) as defined in 47 C.F.R. Section 73.525?

Yes  No

If Yes, attach as an Exhibit either a TV Channel 6 agreement letter dated and signed by both parties or a map and an engineering statement with calculations demonstrating compliance with 47 C.F.R. Section 73.525 for each affected TV Channel 6 station.

Exhibit No.  
E-1

25. Is the proposed station for a channel in the range from Channel 221 to 300 (92.1-107.9 MHz)?

Yes  No

If Yes, attach as an Exhibit information required in 1/. (Except for Class D (secondary) proposals.)

Exhibit No.  
N/A

26. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact?

Yes  No

If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.  
N/A

If No, explain briefly why not.

Categorically excluded by Section 1.1306 of the FCC Rules.

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed)	Relationship to Applicant (e.g., Consulting Engineer)
Roy P. Stype, III	Consulting Engineer
Signature	Address (Include ZIP Code)
	2324 N. Cleveland-Massillon Road Bath, OH 44210
Date	Telephone No. (Include Area Code)
10/13/92	( 216 ) 659-4440

DO NOT REMOVE CARBONS

Form Approved UMB No. 2120-0001


**NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION**
90 AGL
Aeronautical Study Number  
**276-0E**

US Department of Transportation  
Federal Aviation Administration

<b>1. Nature of Proposal</b>		<b>2. Complete Description of Structure</b>
<b>A. Type</b> <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration	<b>B. Class</b> <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Duration _____ months)	<b>A.</b> Include effective radiated power and assigned frequency of all existing, proposed or modified AM, FM, or TV broadcast stations utilizing this structure.  <b>B.</b> Include size and configuration of power transmission lines and their supporting towers in the vicinity of FAA facilities and public airports  <b>C.</b> Include information showing site orientation, dimensions, and construction materials of the proposed structure.  <b>NEW NON-COMMERCIAL FM STATION ON 91.1 MHZ, CHANNEL 215A, 1.0 MAXIMUM ERP AT 65 M. HAAT.</b>  <b>PLEASE SEE FIGURE 1 FOR A SKETCH OF THE PROPOSED TOWER.</b>
<b>C. Work Schedule Dates</b> Beginning <u>UNKNOWN</u> End <u>UNKNOWN</u>		

**3A. Name and address of individual, company, corporation, etc. proposing the construction or alteration.** (Number, Street, City, State and Zip Code)

( 617 ) 888-9200  
 area code Telephone Number

**SOUTHWEST ALLEN COUNTY SCHOOLS**  
**C/O EDUCATIONAL FM ASSOCIATES**  
**POST OFFICE BOX AA**  
**DUXBURY, MASSACHUSETTS 02331**

**B. Name, address and telephone number of proponent's representative if different than 3 above.**

**SAME AS ABOVE**

(If more space is required, continue on a separate sheet.)

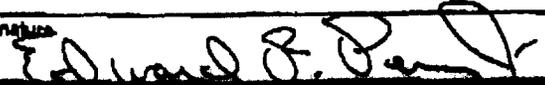
<b>4. Location of Structure</b>			<b>5. Height and Elevation (Complete to the nearest foot)</b>	
<b>A. Coordinates (To nearest second)</b>  Latitude <u>38 58 50</u> Longitude <u>85 17 42</u>	<b>B. Nearest City or Town, and State</b> <b>LAFAYETTE TOWNSHIP, IN.</b>  (1) Distance to 4B <b>WITHIN LIMITS</b> Miles (2) Direction to 4B <b>WITHIN LIMITS</b>	<b>C. Name of nearest airport, heliport, flightpark, or seaplane base</b> <b>NONE WITHIN 8 KM.</b>  (1) Distance from structure to nearest point of nearest runway <b>N/A</b> (2) Direction from structure to airport <b>N/A</b>	<b>A. Elevation of site above mean sea level</b> <b>250 M.</b>	<b>B. Height of Structure including all appurtenances and lighting (if any) above ground, or water if so situated</b> <b>60 M.</b>
			<b>C. Overall height above mean sea level (A + B)</b> <b>310 M.</b>	

**D. Description of location of site with respect to highways, streets, airports, prominent terrain features, existing structures, etc. Attach a U.S. Geological Survey quadrangle map or equivalent showing the relationship of construction site to nearest airport(s). (If more space is required, continue on a separate sheet of paper and attach to this notice.)**

**100 METERS NORTH OF KRESS ROAD AND 470 METERS NORTHWEST OF THE JUNCTION OF KRESS ROAD AND HUNTINGTON ROAD IN LAFAYETTE TOWNSHIP, ALLEN COUNTY, INDIANA. PLEASE SEE FIGURE 3.**

*Notice is required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1101). Persons who knowingly and willingly violate the Notice requirements of Part 77 are subject to a fine (criminal penalty) of not more than \$500 for the first offense and not more than \$2,000 for subsequent offenses, pursuant to Section 902(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1472(a)).*

**I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking & lighting standards if necessary.**

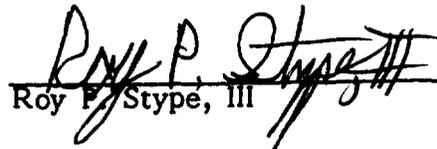
Date <b>2/8/90</b>	Typed Name/Title of Person Filing Notice <b>EDWARD F. PERRY, JR. CONSULTANT</b>	Signature 
-----------------------	--	--

ENGINEERING AFFIDAVIT

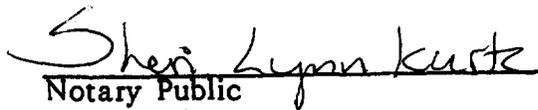
State of Ohio                    )  
  )    ss:  
County of Summit                )

Roy P. Stype, III, being duly sworn, deposes and states that he is a graduate Electrical Engineer, a qualified and experienced Communications Consulting Engineer whose works are a matter of record with the Federal Communications Commission and that he is a member of the Firm of "Carl E. Smith Consulting Engineers" located at 2324 North Cleveland-Massillon Road in the Township of Bath, County of Summit, State of Ohio, and that the Firm has been retained by the Southwest Allen County Schools to prepare the attached "Engineering Exhibit E-1."

The deponent states that the Exhibit was prepared by him or under his direction and is true of his own knowledge, except as to statements made on information and belief and as to such statements, he believes them to be true.

  
\_\_\_\_\_  
Roy P. Stype, III

Subscribed and sworn to before me this    13th    day of October, 1992.

  
\_\_\_\_\_  
Notary Public

**SHERI LYNN KURTZ, Notary Public**  
For the State of Ohio  
My Commission Expires June 14, 1995  
Recorded in Summit County

/SEAL/

## ENGINEERING STATEMENT

### 10 GENERAL

This engineering statement is prepared on behalf of the Southwest Allen County Schools, applicant (BPED-900215MC) for a construction permit for a new noncommercial educational FM station on Channel 216A in Lafayette Township, Indiana, in support of an amendment to the above referenced application. This application conflicts with that of Faith Christian Academy (BPED-901203MN) for a construction permit for a new noncommercial educational FM station on Channel 216B1 in Berne, Indiana. These two applications were designated for a comparative hearing in MM Docket 92-27. The attached amendment, in conjunction with an amendment being submitted concurrently by the competing applicant, eliminates the conflict between these two applications, permitting both to be granted.

The Lafayette Township application presently specifies operation on Channel 216A utilizing a directional antenna with a maximum effective radiated power of 0.4 kilowatts and an antenna height of 65 meters above average terrain. The attached amendment reduces the proposed maximum effective radiated power to 0.2 kilowatts and modifies the proposed directional pattern.

The proposed facilities should constitute no hazard whatsoever with regard to human exposure to RF radiation. As outlined in FCC OST Bulletin No. 65, the worst case minimum height for a single three bay antenna operating with a total effective radiated power of 0.4 kilowatts is 4.1 meters to achieve compliance with ANSI Standard C95.1 - 1982. Since the proposed antenna will be mounted at a height of 57 meters above ground, the power density levels at ground level will be well below the maximum permitted by the above standard. Furthermore, the applicant will comply with the above ANSI Standard with regard to occupational exposure to RF radiation. Should it be necessary for a

worker to climb the tower that will support this antenna, the proposed facility will cease operation should work be necessary within 4.1 meters (13.5 feet ) of the center of radiation of this antenna.

## 2.0 ALLOCATION CONSIDERATIONS

Figure 2.0 shows the proposed service and interference contours in relation to those of all other stations, operating or proposed, on Channels 213 through 219 requiring consideration. With one exception, all contours were projected utilizing the notified facilities for each station and terrain data from the NGDC 30 second terrain database. The contours for pending application BPED-901203MN - Berne, Indiana, which is being amended concurrently to specify operation on Channel 217, were extracted from the Berne amendment. As shown in this figure, the proposed facilities would not cause or receive any prohibited overlap.

Table 2.0 is an allocation study showing the actual and required separations with respect to Canadian stations operating on Channels 213 through 219 and all stations operating on Channels 269 and 270. As shown in this table, adequate separation exists from all facilities requiring consideration.

The protection standards with regard to television stations operating on Channel 6 are outlined in Section 73.525 of the FCC Rules. Stations operating on Channel 216 are required to give protection consideration to all Channel 6 TV stations located within 177 kilometers of their transmitter site. In this case, only one TV station requires protection consideration:

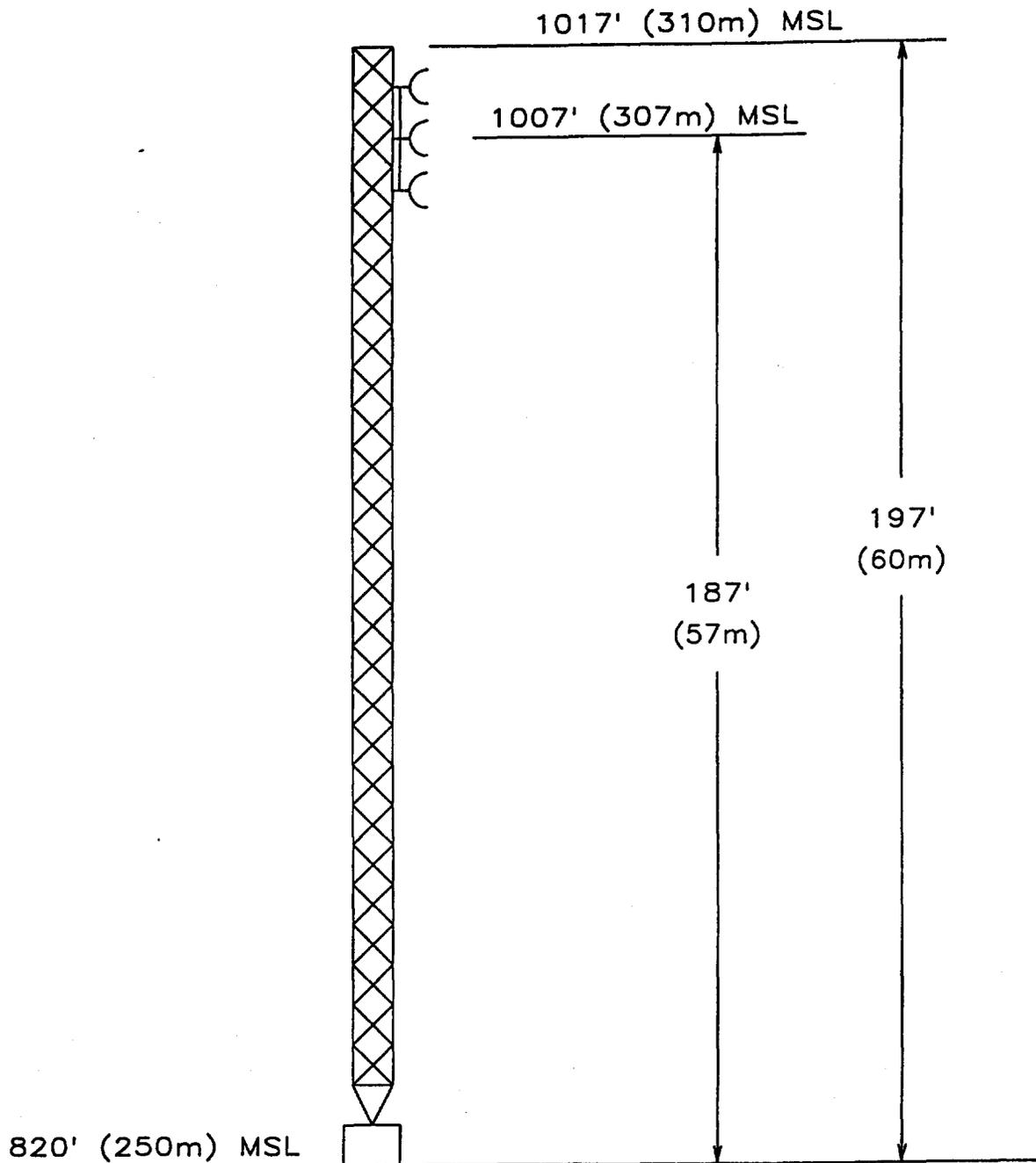
WRTV - Indianapolis, IN

Figure 2.1 is a map exhibit showing the predicted 47 dBu (Grade B) contour for WRTV. Also shown in this figure is the predicted 75 dBu contour for the facilities proposed in this amendment. As shown in this figure, the proposed 75 dBu contour will not overlap the 47 dBu contour of WRTV. Thus, as defined by Section 73.525 of the FCC Rules, no interference will be caused to the reception of Channel 6 by the proposed facilities. Based upon this information, the proposed facilities fully comply with Section 73.525 of the FCC Rules regarding noncommercial educational FM interference to Channel 6.

### 3.0 PROPOSED ANTENNA SYSTEM

The proposed antenna will be a Jampro JSCP-3 (DA) three bay circularly polarized directional antenna. Figure 3.0 is a vertical plan view of the proposed installation. Table 3.1 presents a tabulation of the proposed directional pattern. Figure 3.1 presents this same data in polar form. Finally, Figure 3.2 presents the proposed vertical radiation pattern for this antenna. It should be noted that the directional pattern shown herein is a composite envelope, or idealized pattern. When final pattern modeling is conducted by the antenna manufacturer, both the horizontally and vertically polarized radiation patterns will be totally encompassed within this envelope. Following the completion of this pattern modeling, the antenna will be mounted on the tower in accordance with the manufacturer's instructions. No other antennas will be mounted within or in close proximity to the aperture of this antenna. Furthermore, there will be no platform or other similar structure at the top of the proposed tower which could possibly distort the directional pattern of this antenna. The maximum proposed effective radiated power in both the horizontal and vertical polarizations will be 0.2 kilowatts. The maximum pattern suppression does not exceed the 15 dB value permitted by Section 73.316 of the FCC Rules. Furthermore, the slope of this pattern does not exceed 2 dB/10 degrees at any point on the pattern.

SALLENVP 9/22/92



NOT TO SCALE

NL - 40° 58' 58"

WL - 85° 17' 42"

CARL E. SMITH CONSULTING ENGINEERS  
2324 N. CLEVE-MASS RD., BOX 807  
BATH, OHIO 44210-0807  
(216) 659-4440

FIG. 3.0  
VERTICAL PLAN VIEW  
SOUTHWEST ALLEN  
COUNTY SCHOOLS  
LAFAYETTE TOWNSHIP, IN

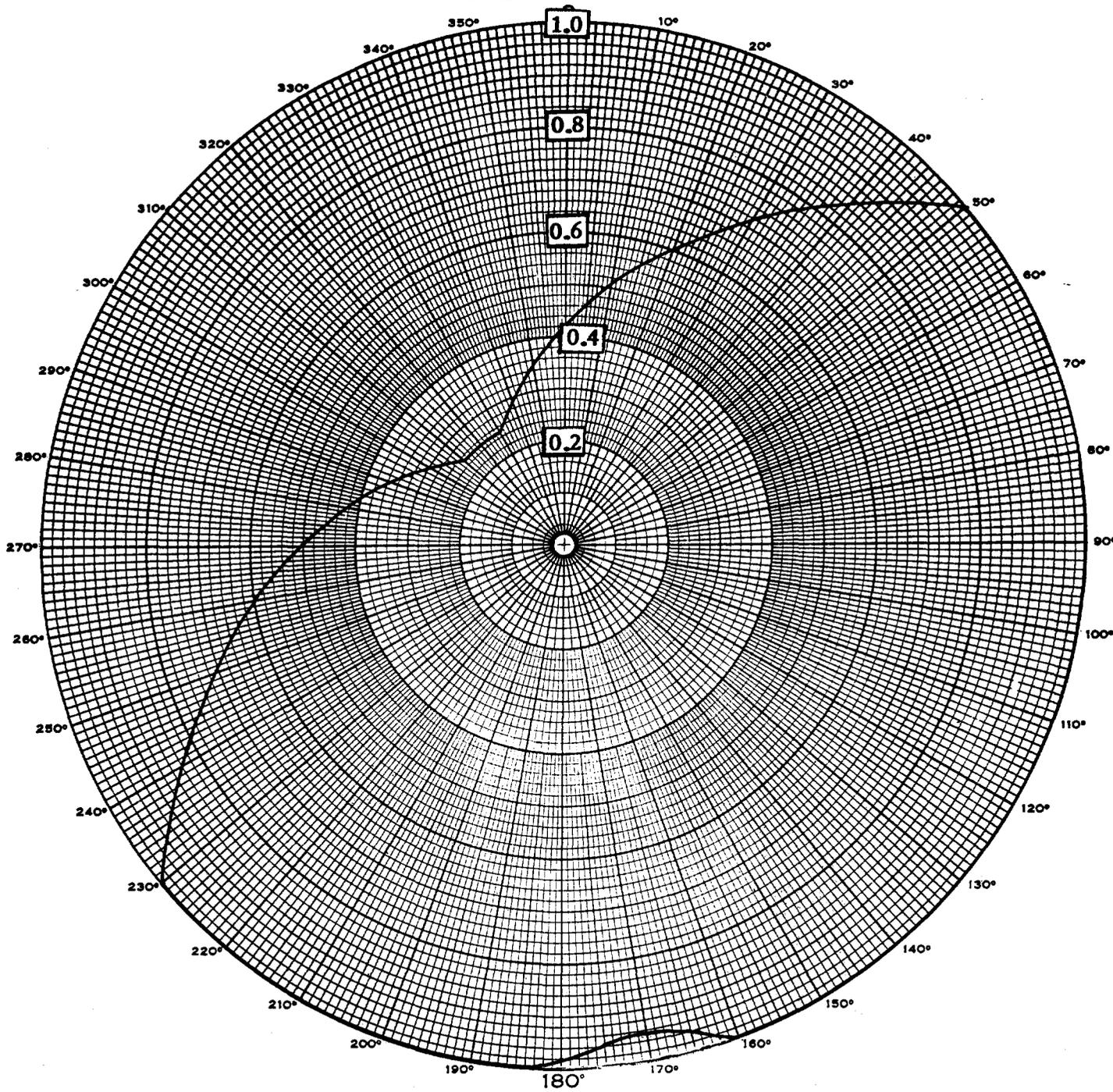
**TABLE 3.1**  
**PROPOSED DIRECTIONAL PATTERN**  
**Southwest Allen County Schools**  
**Lafayette Township, IN**

<u>Azimuth (Degrees)</u>	<u>Relative Field</u>	<u>dBk</u>	<u>ERP</u>	<u>kW</u>
0	0.423	-14.46		0.036
10	0.502	-12.98		0.050
20	0.597	-11.47		0.071
30	0.709	-9.98		0.101
40	0.843	-8.47		0.142
45	0.914	-7.77		0.167
50	1.000	-6.99		0.200
60	1.000	-6.99		0.200
70	1.000	-6.99		0.200
80	1.000	-6.99		0.200
90	1.000	-6.99		0.200
100	1.000	-6.99		0.200
110	1.000	-6.99		0.200
120	1.000	-6.99		0.200
130	1.000	-6.99		0.200
135	1.000	-6.99		0.200
140	1.000	-6.99		0.200
150	1.000	-6.99		0.200
160	1.000	-6.99		0.200
170	0.950	-7.44		0.181
180	0.980	-7.17		0.192
190	1.000	-6.99		0.200

TABLE 3.1 (cont'd)

<u>Azimuth (Degrees)</u>	<u>Relative Field</u>	<u>dBk</u>	<u>ERP</u>	<u>kW</u>
200	1.000	-6.99		0.200
210	1.000	-6.99		0.200
220	1.000	-6.99		0.200
225	1.000	-6.99		0.200
230	1.000	-6.99		0.200
240	0.843	-8.47		0.142
250	0.709	-9.98		0.101
260	0.597	-11.47		0.071
270	0.502	-12.98		0.050
280	0.423	-14.46		0.036
290	0.355	-15.99		0.025
300	0.299	-17.48		0.018
310	0.252	-18.96		0.013
315	0.252	-18.96		0.013
320	0.252	-18.96		0.013
325	0.252	-18.96		0.013
330	0.252	-18.96		0.013
340	0.299	-17.48		0.018
350	0.355	-15.99		0.025

RELATIVE FIELD



MAXIMUM ERP = 0.2 kW

FIG. 3.1

**PROPOSED DIRECTIONAL PATTERN**

Southwest Allen County Schools  
Lafayette Township, IN

CARL E. SMITH CONSULTING ENGINEERS  
2324 N. CLEVE-MASS RD., BOX 317  
BATH, OHIO 44210-0317  
216/659-4440

ELEVATION PATTERN  
JSCP - 3

DATE: 9/1/79  
RMS GAIN= 1.5

BEAM TILT= 0.  
NULL FILL= 0%

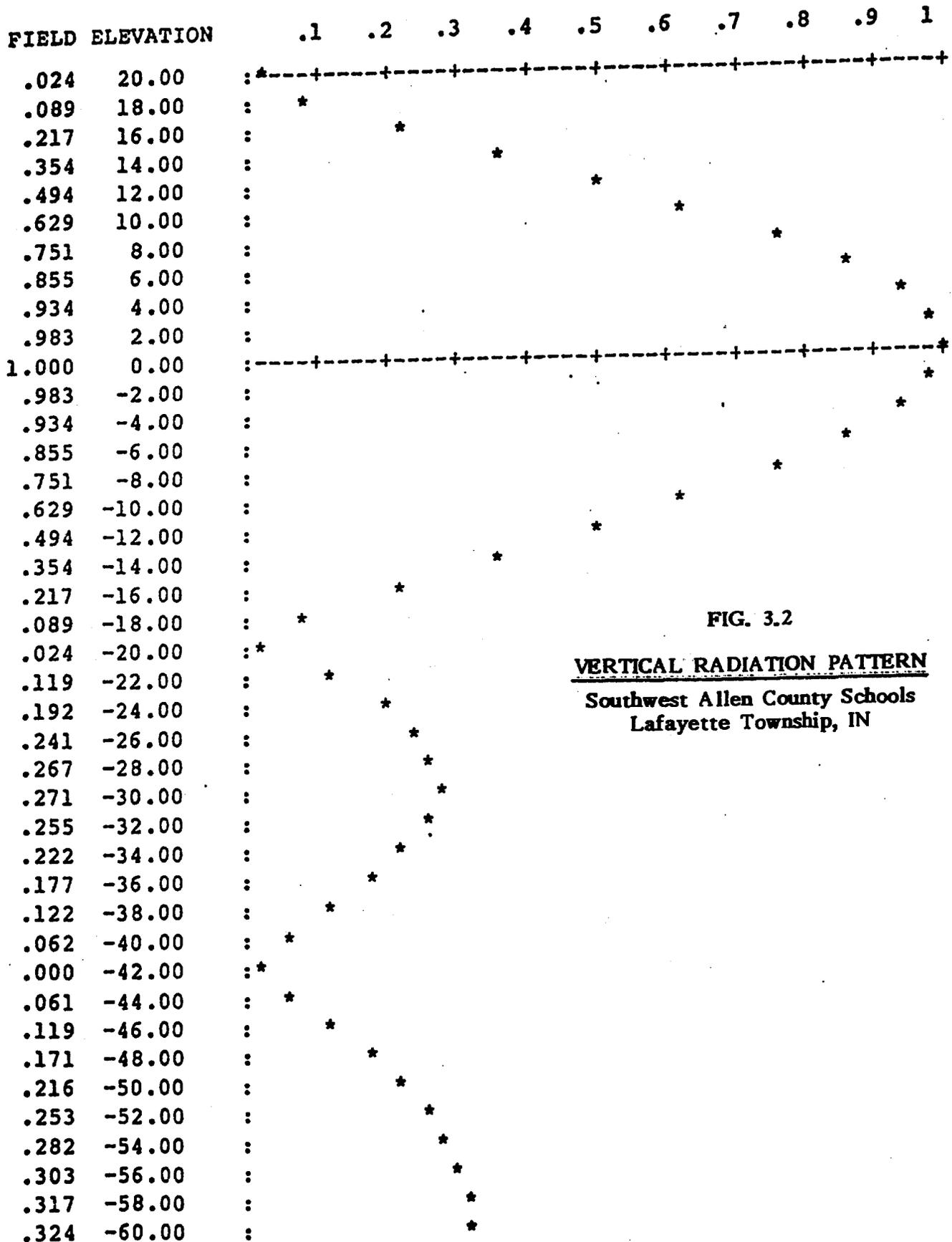


FIG. 3.2

VERTICAL RADIATION PATTERN  
Southwest Allen County Schools  
Lafayette Township, IN

#### 4.0 PREDICTED SERVICE CONTOURS

The proposed 1 mV/m contour is listed in Table 4.0. Because a directional antenna is involved, this contour was projected at azimuth intervals of no more than ten degrees, to insure sufficient detail. The average elevation of each radial was extracted from the NGDC 30 second terrain database. Only the eight cardinal radials, however, were used in calculating the overall height above average terrain. Utilizing the above average elevations, the proposed contour was calculated as specified by Section 73.313 of the FCC Rules. This contour is shown on an appropriate map base in Figure 4.0. Also shown in this figure is the predicted 1 mV/m contour for the facilities specified in this application, as originally filed.

The population within the 1 mV/m contour was determined from the 1980 U.S. Census and an Indiana minor civil division map using proportional parts of the civil divisions covered. The land area within the 1 mV/m contour was measured using a polar planimeter. These figures are shown in Paragraph 15 of FCC Form 340, Section V-B.

PROPOSED LAFAYETTE TOWNSHIP  
60.0 dBu CONTOUR  
(FM(50,50) Curves Utilized)

BEARING (Degrees)	AVERAGE TERRAIN ELEVATION (meters)	ANTENNA HAAT (meters)	----- HORIZONTAL -----			DISTANCE TO CONTOUR (km)
			RELATIVE FIELD	(dBk)	ERP (kW)	
0.0 *	252.6	54.4	0.423	-14.46	0.036	5.9
10.0	252.7	54.3	0.502	-12.98	0.050	6.4
20.0	249.6	57.4	0.597	-11.47	0.071	7.1
30.0	241.1	65.9	0.709	-9.98	0.101	8.4
40.0	233.5	73.5	0.843	-8.47	0.142	9.7
45.0 *	229.4	77.6	0.914	-7.77	0.167	10.4
50.0	227.0	80.0	1.000	-6.99	0.200	11.0
60.0	230.5	76.5	1.000	-6.99	0.200	10.7
70.0	234.4	72.6	1.000	-6.99	0.200	10.5
80.0	240.3	66.7	1.000	-6.99	0.200	10.1
90.0 *	237.3	69.7	1.000	-6.99	0.200	10.3
100.0	239.6	67.4	1.000	-6.99	0.200	10.1
110.0	241.4	65.6	1.000	-6.99	0.200	10.0
120.0	243.8	63.2	1.000	-6.99	0.200	9.9
130.0	243.8	63.2	1.000	-6.99	0.200	9.8
135.0 *	243.8	63.2	1.000	-6.99	0.200	9.8
140.0	244.0	63.0	1.000	-6.99	0.200	9.8
150.0	245.2	61.8	1.000	-6.99	0.200	9.8
160.0	245.6	61.4	1.000	-6.99	0.200	9.7
170.0	243.8	63.2	0.950	-7.44	0.181	9.6
180.0 *	243.8	63.2	0.980	-7.17	0.192	9.7
190.0	243.8	63.2	1.000	-6.99	0.200	9.8
200.0	243.8	63.2	1.000	-6.99	0.200	9.8
210.0	243.8	63.2	1.000	-6.99	0.200	9.9
220.0	240.1	66.9	1.000	-6.99	0.200	10.1
225.0 *	234.2	72.8	1.000	-6.99	0.200	10.5
230.0	232.1	74.9	1.000	-6.99	0.200	10.6
240.0	239.7	67.3	0.843	-8.47	0.142	9.3
250.0	240.1	66.9	0.709	-9.98	0.101	8.4
260.0	241.3	65.7	0.597	-11.47	0.071	7.6
270.0 *	245.3	61.7	0.502	-12.98	0.050	6.8
280.0	253.2	53.8	0.423	-14.46	0.036	5.9
290.0	248.7	58.3	0.355	-15.99	0.025	5.6
300.0	247.7	59.3	0.299	-17.48	0.018	5.2
310.0	248.1	58.9	0.252	-18.96	0.013	4.8
315.0 *	249.1	57.9	0.252	-18.96	0.013	4.7
320.0	250.0	57.0	0.252	-18.96	0.013	4.7
325.0	250.4	56.6	0.252	-18.96	0.013	4.7
330.0	250.4	56.6	0.252	-18.96	0.013	4.7
340.0	250.7	56.3	0.299	-17.48	0.018	5.1
350.0	250.7	56.3	0.355	-15.99	0.025	5.5

AVERAGE(\*) = 242.0 meters

TABLE 4.0

PREDICTED PROPOSED  
1 mV/m CONTOUR  
Southwest Allen County Schools  
Lafayette Township, IN